

# NSW Independent Liquor & Gaming Authority

Mr Anthony Zappia  
Former Secretary and Chief Executive  
Officer  
Club Marconi Limited

██████████  
Director of Compliance & Enforcement Unit  
NSW Department of Creative Industries,  
Tourism, Hospitality and Sport

Our ref: DOC26/015014

22 January 2026

Dear Sir

## Decision regarding a complaint about Mr Anthony Zappia under section 57F of the *Registered Clubs Act 1976*

### Ground of complaint

The ground of complaint is that:

- the secretary of the club or any other member of the governing body of the club is not a fit and proper person to act as such - section 57F(3)(g) of the *Registered Clubs Act 1976* (**the Act**).

Note: Section 57E(1) of the Act provides that a former secretary of a club is a secretary of a club for the purposes of Part 6A (sections 57E to 57L) of the Act, under which the complaint is made. This applies to Mr Anthony Zappia (**Mr Zappia**) as the former secretary manager and CEO of the Club.

### Our decision

We are satisfied that the ground of complaint is established and have determined to:

- declare that Mr Zappia is ineligible to stand for election or to be appointed to, or to hold office in, the position of secretary or member of the governing body of all registered clubs for 12 months under section 57H(2)(g) of the Act.
- order** Mr Zappia to pay a monetary penalty of 100 penalty units (\$11,000) within 60 days of receiving this notification (no later than 23 March 2026) under section 57H(2)(a1) of the Act.
- order** Mr Zappia to pay the amount of \$12,832.36 for costs incurred by the Secretary in carrying out any investigation or inquiry under section 35A in relation to the club or person, under section 57H(2)(i)(i) of the Act within 60 days of receiving this notification (no later than 23 March 2026).

### Background

On 18 June 2025, ██████████ (A/Director, Compliance & Enforcement, Liquor & Gaming NSW (**L&GNSW**) as a delegate of the Secretary, Department of Creative Industries, Tourism, Hospitality and Sport) (**the Complainant**) made a complaint under section 57F(3)(g) of the Act that Mr Zappia is not a fit and proper person to act as secretary of the Club.

Mr Zappia served as Secretary Manager and CEO of Club Marconi Limited (**the Club**, LIQC300226484) from April 2018 until his employment was terminated on 24 February 2021. His dismissal followed concerns raised by a whistleblower regarding a payment made by the Club to Rentfleet (Operations) Pty Ltd (**Rentfleet**) for an invoice allegedly linked to shares held by Mr Zappia's family.

The invoice, valued at \$13,750, was created at Mr Zappia's request and described as payment for "Relocation of Machinery." Investigations revealed the invoice was not registered in Rentfleet's accounting system, used a non-standard invoice number, and listed a payee company Australia Wide Truck and Trailer Sales Pty Ltd (**AWTTS**) with personal ties to Rentfleet staff. The funds were transferred from the Club to AWTTS on 9 October 2020, and subsequently credited to Mr Zappia's personal bank account the same day.

Mr Zappia claimed the payment was part of a \$48,000 wage offset approved by the Club's board due to COVID-19-related JobKeeper arrangements. However, the board only formally approved the wage compensation on 30 November 2020 — after the invoice had been issued and paid. No evidence was found of prior board approval for the Rentfleet payment, and verbal authorisation claimed by Mr Zappia was denied by the relevant director. The Club's internal procedures for payment authorisation were not followed.

Following internal and external investigations, including those by Thomson Geer Lawyers, KordaMentha Forensics, and L&GNSW, the Club's audit and strategic planning committee recommended Mr Zappia's dismissal for gross misconduct. The Club's board adopted this recommendation on 22 February 2021. Mr Zappia reimbursed the Club the full \$13,750 from his final payout of \$306,361.75.

### **Submissions and consultation**

On 26 August 2025, a show cause notice was issued to Mr Zappia and L&GNSW.

On 23 September 2025, the legal representative acting on behalf of Mr Zappia provided a letter to the Authority and a formal submission as summarised below:

#### Letter to the Authority

- Mr Zappia was appointed as the CEO of the Club on 24 April 2018 and has 10 years of club industry experience
- the period of the circumstances was during the mandatory club closures between March and October 2020 due to COVID
- although the Club was closed, he worked every day to ensure building works at the Club were supervised
- during this period, Board contact and meetings were infrequent and there was a heavy reliance on him to ensure the Club would be able to remain in business after the pandemic.

#### *Payment from the Club*

- during the mandatory closure, Board Members on several occasions verbally communicated to him that once the Club re-opened that he would be compensated for a portion in the shortfall to his salary, which was ratified at the October 2020 Board Meeting
- around early July 2020 he requested the invoice be raised knowing that it would be paid against his COVID compensation payment and received verbal approval from a Board Director
- payment was made in October 2020 and another Board Director contacted him to acknowledge receipt of payment.

#### *Personal circumstances*

That no disciplinary action should be taken due to the following:

- he has acknowledged at all times that the transaction was clumsy but never dishonest or intended for personal gain

- some of the Board Directors had knowledge of outstanding monies to Renfleet, and made a commitment to provide financial compensation once COVID was under control and Club operations back to normal
- he repaid the \$13,750 in pay period 25 January-31 January 2021 and that the assertion by L&GNSW that it was deducted from his settlement on termination is incorrect
- the COVID pandemic affected his mental and physical health
- he is currently unfit for work due to mental and physical health issues
- during the past 5 years, he has undertaken a self-imposed hiatus from the Club industry to deal with his health issues
- he never held any dishonest or fraudulent intention to receive the payment of \$13,750 and repaid the amount to the Club prior to his contract not being renewed.

*Good character and standing in the community*

- he has devoted extensive personal time to charity work and fundraising over the past 20 years for a number of charities.

*Conclusion*

- his actions throughout his tenure at the Club demonstrate loyalty, diligence, and a strong commitment
- he acknowledges his error and remains a fit and proper person
- if disciplinary action is required, that a fine be deemed the appropriate penalty.

Formal submission

- Mr Zappia acknowledges receiving \$13,750 on 9 October 2020 as secretary of Marconi, purportedly for a “Rentfleet invoice,” but denies any fraudulent or dishonest intent. He argues that his conduct does not warrant a permanent declaration or disqualification under the Act.
- Mr Zappia urges the Authority to impose a monetary penalty, noting he is no longer employed in the club industry and has a strong case for mitigation. In his statement dated 23 September 2025, he outlines the challenging circumstances at the time and asserts that the payment was ‘clumsy’ but approved in July 2020.
- Mr Zappia presents several factors against a public declaration:
  - he repaid the \$13,750 before his termination and before any formal notice
  - he has abstained from club roles for five years due to remorse and health issues
  - he has a clean record and strong character within the industry
  - he has a longstanding commitment to charitable work
  - the situation was driven by unique external pressures unlikely to recur.
- Mr Zappia contends that a fine would be a proportionate disciplinary response and does not oppose paying the Authority’s (or Secretary’s) reasonable costs.

On 9 October 2025, L&GNSW provided the following submission in response to Mr Zappia’s submission, summarised below:

- noted the seriousness of the contravention, the remorse expressed by Mr Zappia, his physical and psychological health at the time of the incident and at present, and his prolonged and ongoing absence from the industry
- considered submissions of Mr Zappia’s good character and standing in the community, his repayment of the invoice in question, and his contention that while his actions were ‘clumsy’, they did not arise from a dishonest or fraudulent intent

- considers that a monetary penalty, together with the payment of investigative costs incurred of \$12,832.36, represents a balanced and proportionate regulatory response
- recommends that the Authority order Mr Zappia to pay a monetary penalty under section 57H(2)(a1) of the Act, and further order that he pay the costs incurred by L&GNSW in conducting its investigation under section 57H(2)(i)(i) of the Act.

On 24 October 2025, Mr Zappia's legal representative provided a submission in response to the L&GNSW submission as well as a statement related to Mr Zappia's letter to the Authority and a copy of Mr Zappia's disability benefits statement, summarised below:

- extended his gratitude to L&GNSW in acknowledging his remorse, health concerns, and his good character and standing in the community
- accepts that the investigative costs incurred, of \$12,832.36, should be ordered to be paid by him to the Secretary, but requests the Authority to stagger that payment into 6 equal monthly payments so as to not compromise the sole source of his income
- reiterated that he is presently unfit for work due to his current health issues
- he is receiving a monthly total disability benefit of around \$11,000 under his income protection policy, paid in arrears
- payment of the investigation costs would exceed his monthly disability benefit and if not staggered, as requested, would be affect his financial situation
- the submission notes the maximum monetary under section 57H(2)(a1) of the Act to be 100 penalty units, equating to \$11,000.00
- the investigation cost incurred by L&GNSW exceeds the statutory maximum penalty, warranting consideration of both amounts to avoid an unduly harsh outcome
- he did not derive financial benefit from his conduct, having fully reimbursed the Club and his actions do not merit the maximum penalty, given his demonstrated remorse, contrition, and minimal risk of reoffending due to his sustained absence from the industry
- any monetary penalty imposed should be modest and paid in installments as with the investigation costs incurred by L&GNSW.

On 21 November 2025, L&GNSW provided a submission in response to a request from the Authority to clarify the disciplinary action proposed by L&GNSW, summarised below:

- L&GNSW stated that they continued to rely on the recommendation originally proposed in February 2025 that Mr Zappia be permanently declared as ineligible to stand for election or to be appointed to, or to hold office in, the position of secretary or member of the governing body (or both of those positions) of the Club and all registered clubs within NSW.
- L&GNSW acknowledged Mr Zappia's submission dated 24 October 2025, and noted that Mr Zappia expressed his acceptance of a monetary penalty and requirement to cover the costs associated with the disciplinary action. L&GNSW supported this proposed action.

### **Further notices and submissions**

On 1 December 2025, a further notice was issued to Mr Zappia under section 57J(2)(b) of the Act inviting him to show cause why a declaration that he is ineligible to stand for election or to be appointed to, or to hold office in, the position of secretary or member of the governing body of all registered clubs for 12 months should not be made.

On 17 December 2025, Mr Zappia's legal representative provided a response to the show cause notice declaration, summarised below:

- Mr Zappia reiterated that he has not held a position of office in a registered club since his position with Club Marconi ended in February 2021 (nearing 5 years) and asked that this be considered by the Authority if it is still minded to make the proposed declaration

- Mr Zappia also asked that the Authority take into account the period between when the complaint was first brought to his attention (26 August 2025) and the date of the decision made by the Authority when considering the timeframe that he is ineligible to stand for election or to be appointed to, or to hold office in, the position of secretary or member of the governing body of all registered clubs
- Mr Zappia stated that he otherwise continues to rely on the submissions provided on his behalf on 23 September 2025 and 24 October 2025.

### **Our findings**

Mr Zappia, in his role of former secretary manager and CEO of the Club, engaged in deliberate dishonest and fraudulent conduct by causing a fraudulent invoice to be issued and paid by the Club despite claiming he had approval from the Club's board for this action.

Mr Zappia's key justification is that he had prior approval to carry out this conduct, but the evidence supports that this approval would not be sufficient for the Club's required processes and it is more likely that this prior approval never occurred, supported by the findings of the independent investigations. His termination and reimbursement of the amount of the Rentfleet invoice from his payment package supports that the payment was made wrongfully.

Mr Zappia's conduct indicates he lacks the requisite honesty, integrity and ethical standards required to be considered a fit and proper person to be the secretary or a member of the governing body of a club. It raises concerns about his ability to act in a manner that is consistent with the ethical expectations of the industry, particularly in roles that involve financial management and decision-making.

In consideration of all the circumstances of this complaint, we are of the view that disciplinary action is warranted.

### **Relevant legislation**

Part 6A of the Act

Prescribed grounds of complaint

We are satisfied that the complaint was made validly and that the established ground of complaint is a prescribed ground under section 57F of the Act .

### **The material we considered**

In determining the disciplinary complaint, the following material was considered:

- disciplinary complaint from L&GNSW, received 18 June 2025
- a letter and formal submission from Mr Zappia, received 23 September 2025
- a submission from L&GNSW, received 9 October 2025
- a submission from Mr Zappia, received 24 October 2025
- a letter from L&GNSW, received 21 November 2025
- a submission from Mr Zappia in response to the show cause notice in relation to the declaration for ineligibility, received 17 December 2025

### **If you are dissatisfied with this decision**

The respondent or complainant may apply to NCAT for a review of this decision under the *Administrative Decisions Review Act 1997*.

For more information, please contact the NCAT Registry at 1300 006 228 or visit the NCAT website.

This decision will be published on the website.

**If you have any questions**

Please contact the Office of ILGA at [office@ilga.nsw.gov.au](mailto:office@ilga.nsw.gov.au) if you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jeff Loy', with a long, sweeping horizontal stroke extending to the right.

Jeff Loy  
**Chair, Disciplinary Matters Committee**  
**NSW Independent Liquor and Gaming Authority**